

UNIVERSITY QUARTER ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

METROPOLITAN PLANNING DEPARTMENT
1966

UNIVERSITY QUARTER ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

C O N T E N T S

PURPOSE AND ORDAINING CLAUSES 1

CHAPTER I

SECTION 1.00 ESTABLISHMENT OF UNIVERSITY QUARTER ZONING
DISTRICTS -- PERMITTED USES 3

CHAPTER II

SECTION 2.00 UNIVERSITY QUARTER DISTRICT REGULATIONS 4

CHAPTER III

SECTION 3.00 SEVERABILITY 6
EMERGENCY CLAUSE 6
EFFECTIVE DATE 6
SIGNATURES, ATTESTATION 6

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WHEREAS, Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, established a single planning and zoning authority in counties having first-class cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Plan Commission and the County Council of such counties having first-class cities, in order to unify the planning and zoning functions thereof; and

WHEREAS, the Metropolitan Plan Commission of Marion County, Indiana, has adopted and certified, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN OF MARION COUNTY, INDIANA, including a UNIVERSITY QUARTER SITE PLAN FOR MARION COUNTY, INDIANA, adopted by Resolution 66-CPS-R-3 on December 21, 1966; and

WHEREAS, said Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, empowers the Metropolitan Plan Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general welfare may be promoted;

NOW THEREFORE BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957 and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof be amended, pursuant to said Chapter 283 by the addition of the following provisions:

CHAPTER 1

SECTION 1.00 ESTABLISHMENT OF UNIVERSITY QUARTER ZONING DISTRICTS

PERMITTED USES

The following primary UNIVERSITY QUARTER ZONING DISTRICT for Marion County, Indiana, is hereby established, and land within Marion County is hereby classified, divided and zoned into said district as designated on the UNIVERSITY QUARTER DISTRICT ZONING MAP, which Map is attached hereto, incorporated herein by reference and made a part of this ordinance. No use shall be permitted in said DISTRICT other than the following specified permitted use or uses.

UNIVERSITY QUARTER ZONING DISTRICT

<u>Symbol</u>		<u>Permitted Use</u>
UQ-1	UNIVERSITY QUARTER DISTRICT ONE	UNIVERSITY USES

Provided, however, prior to the issuance of an improvement location permit for any use, structure, building or development within the UQ-1 DISTRICT, the Metropolitan Plan Commission's approval of such use, structure, building or development, and the improvement location permit application therefor, shall be required.

Applications for improvement location permit shall be made upon Metropolitan Planning Department forms, accompanied by a site plan and other requirements specified by said forms. The Metropolitan Plan Commission may impose any reasonable conditions upon its approval, including the recording of covenants. No permit shall be approved unless the proposed use, structure, building or development:

- (1) will be in conformity with the Comprehensive or Master Plan of Marion County, Indiana, including the University Quarter Site Plan;
- (2) will create and maintain desirable, efficient and economical use of land with high aesthetic value, attractiveness and compatibility of land use;
- (3) provides sufficient and adequate access, parking and loading areas;
- (4) provides adequate traffic control and street plan integration with existing and planned streets;
- (5) provides adequately for sanitation, drainage and public utilities; and
- (6) allocates adequate sites for all uses proposed -- the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Or Master Plan of Marion County, Indiana, including the University Quarter Site Plan.

CHAPTER II

SECTION 2.00 UNIVERSITY QUARTER DISTRICT REGULATIONS

The following regulations shall apply to all land within the UNIVERSITY QUARTER DISTRICTS.

A. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.

B. All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. VIBRATION No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. SMOKE No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringelmann Scale, as now published and used by the U. S. Bureau of Mines, which scale is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.
3. DUST No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.

4. NOXIOUS
MATTER No use shall discharge across the lot lines noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
5. ODOR No use shall emit across the lot lines odor in such quantities as to be readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
6. SOUND No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.
7. HEAT AND
GLARE No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
8. WASTE
MATTER No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

C. All uses permitted within the UNIVERSITY QUARTER DISTRICTS shall be provided with adequate off-street parking and loading spaces.

CHAPTER III

SECTION 3.00 SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word provision or portion so held to be unconstitutional or invalid.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

THE MARION COUNTY COUNCIL

OF

MARION COUNTY, INDIANA

In re: 66-A0-6 - University Quarter Zoning Ordinance

The Marion County Council did not confirm their rejection of Ordinance 66-A0-6 by a 5/7 (4 votes) majority vote of the council membership. Therefore, the Ordinance, as originally certified to the County Council, shall be considered as adopted by the Council within 45 days after the return of the Ordinance to the County Council (returned to the Council by the Metropolitan Plan Commission March 16, 1967).

UNIVERSITY QUARTER DISTRICT ZONING MAP
a part of the University Quarter District Zoning Ordinance 66-A0-6
of Marion County, Indiana

UNIVERSITY QUARTER FOR UNIVERSITY AND UNIVERSITY RELATED LAND USE

DISTRICT UQ-1

